

House Joint Resolution 2009 - Introduced

HOUSE JOINT RESOLUTION 2009

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HOUSE JOINT RESOLUTION

1 A Joint Resolution calling for an Article V convention in order
2 to propose amendments to the Constitution of the United
3 States relating to free and fair elections.
4 WHEREAS, George Washington, the first President of the
5 United States, stated that the "basis of our political
6 systems is the right of the people to make and to alter their
7 constitutions of government"; and
8 WHEREAS, it was the stated intention of the framers of
9 the Constitution of the United States that the Congress of
10 the United States should be "dependent on the people alone".
11 (James Madison, Federalist 52); and
12 WHEREAS, that dependency has evolved from a dependency on
13 the people alone to a dependency on those who spend excessively
14 in elections through campaigns or third-party groups; and
15 WHEREAS, the Supreme Court of the United States ruling
16 in Citizens United v. Federal Election Commission, 558 U.S.
17 310 (2010), removed restrictions on amounts of independent
18 political spending; and
19 WHEREAS, the removal of those restrictions has resulted in
20 the unjust influence of powerful economic forces in United
21 States politics, which have supplanted the will of the people
22 by undermining the people's ability to choose the people's
23 own political leadership, write the people's own laws, and
24 determine the fate of the state; and
25 WHEREAS, Article V of the Constitution of the United States

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26 requires the Congress of the United States to call a convention
27 for proposing amendments upon application of two-thirds of the
28 legislatures of the several states for the purpose of proposing
29 amendments to the Constitution of the United States; and

30 WHEREAS, the State of Iowa recognizes the need for a
31 convention to propose an amendment in order to address concerns
32 such as those raised by the decision of the Supreme Court
33 of the United States in Citizens United v. Federal Election
34 Commission, 558 U.S. 310 (2010), and related cases and events
35 including those occurring long before or afterward or for a
36 substantially similar purpose; and

37 WHEREAS, the State of Iowa desires that the delegates to
38 said convention shall be comprised equally from individuals
39 currently elected to state and local office, or be selected
40 by election in each congressional district for the purpose
41 of serving as delegates, though all individuals elected or
42 appointed to federal office, now or in the past, be prohibited
43 from serving as delegates to the Convention, and intends to
44 retain the ability to restrict or expand the power of its
45 delegates; NOW THEREFORE,

46 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 That the State of Iowa, speaking through the general
2 assembly, makes application to the Congress of the United
3 States for a convention to be called pursuant to Article V of
4 the Constitution of the United States to propose amendments
5 to the Constitution of the United States for the exclusive
6 purpose of protecting free and fair elections in the United
7 States by removing the corrupting influence of money in our
8 electoral process and addressing, among other things, concerns
9 raised by the decision of the Supreme Court of the United
10 States in *Citizens United v. Federal Election Commission*,
11 558 U.S. 310 (2010), and related cases, as soon as two-thirds
12 of the legislatures of the several states have made similar
13 applications on the same issue.

14 BE IT FURTHER RESOLVED, That the Secretary of State shall
15 transmit certified copies of this Joint Resolution, to the
16 President and Vice President of the United States, the Speaker
17 of the United States House of Representatives, the Minority
18 Leader of the United States House of Representatives, the
19 President Pro Tempore of the United States Senate, the Minority
20 Leader of the United States Senate, and each member of the
21 Iowa congressional delegation requesting that the full and
22 complete text of this application be recorded in the published
23 Congressional Record and among the tally of state petitions for
24 a convention of the states under Article V of the Constitution
25 of the United States, and to the presiding officer of each
26 house of each state legislature in the United States requesting
27 the cooperation of the states in making application and
28 compelling the Congress to call a convention for proposing
29 amendments pursuant to Article V of the Constitution of the
30 United States.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This joint resolution makes application to the Congress of
35 the United States of America for a convention to be called

1 under Article V of the Constitution of the United States to
2 propose amendments to the Constitution of the United States
3 related exclusively to the conduct of elections and addressing
4 the United States Supreme Court's decision in Citizens United
5 v. Federal Election Commission, 558 U.S. 310 (2010). Article V
6 of the Constitution of the United States requires Congress to
7 call an Article V convention upon receiving applications from
8 two-thirds of the legislatures of the several states.

9 The resolution requires that the Secretary of State transmit
10 certified copies of the resolution to the President and Vice
11 President of the United States, the Speaker of the United
12 States House of Representatives, the Minority Leader of the
13 United States House of Representatives, the President Pro
14 Tempore of the United States Senate, the Minority Leader of the
15 United States Senate, and each member of the Iowa congressional
16 delegation, and to the presiding officer of each house of
17 each state legislature in the United States requesting the
18 cooperation of the other states in calling a constitutional
19 convention.